

# **Attachment R**

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## Section B - Regulations

### Regulation 1058

## Appeals Process

#### 1058. Appeals Process

(a) **Any action to deny certification, or to suspend or decertify a course may be appealed to the Executive Director.** The appeal and all relevant documentation the appellant believes supports the appeal, must be submitted in writing and received by the Executive Director within 45 calendar days of the Assistant Executive Director's notification of denial of certification, suspension, or decertification.

Within 45 calendar days of receiving the appeal, the Executive Director shall respond to the appellant in writing with a decision affirming, reversing, or modifying the decision of the Assistant Executive Director, and provide the reasons for the decision.

(b) **The Executive Director's decision may be appealed to the Commission.** The appeal, and all relevant documentation the appellant believes supports the appeal, must be submitted in writing and received by POST within 45 calendar days of the date of the Executive Director's decision.

Appeals received at least 45 calendar days prior to the next scheduled Commission meeting will be heard at that meeting. Appeals received with less than 45 calendar days remaining prior to the next scheduled Commission meeting will be heard at a subsequent meeting. The Commission shall notify the appellant of the date, time, and location of the hearing within 10 calendar days of the receipt of the appeal by the Commission.

At an appeal hearing, the burden of proof is on the appellant to demonstrate to the Commission that error was committed by POST staff in its decision. (refer to [PAM Section D-16 for Commission Appeals Process](#))

The Executive Director shall notify the appellant in writing of the Commission's decision within 15 calendar days following the conclusion of the hearing.

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